

REMARKS

This Application has been carefully reviewed in light of the *Office Action*. At the time of the *Office Action*, Claims 1-12 and 14-51 were pending. Of those claims, Claims 17-29 and 33-35 have been previously withdrawn, Claims 1-12, 14-16, 30-32, 36-42, and 45-51 are rejected, and Claims 43-44 are objected to. Applicant has amended Claims 12, 15, 42, and 46 and canceled Claims 1-11, 13, 17-41, 43-44, and 48-51. Applicant respectfully requests reconsideration and favorable action in this case in view of the following remarks.

Allowable Subject Matter

Applicant appreciates the Examiner's indication that Claims 43-44 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and that 47 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph.

Applicants' Summary of Interview

Applicant greatly appreciates the Examiner's participation in the telephone interview conducted on July 27, 2009 ("Interview"). During the *Interview*, Applicant's attorney and the Examiner discussed the rejections of the claims under 35 U.S.C. § 101, § 102, § 103, and § 112, and the objections to the drawings. Applicant discussed amending independent Claims 12 and 15 to include limitations directed to the allowable subject matter of Claim 43 as well as amending independent Claim 15, 42, and 46 to overcome the § 101 rejection of those claims. Applicant also discussed amending the specification to overcome the objections to the drawings. It is Applicant's understanding from the *Interview* that the claims, as amended, are allowable.

Objections to the Drawings

The drawings are objected to as allegedly failing to comply with 37 CFR 1.84(p)(5) because they allegedly include reference characters not mentioned in the description. Specifically, the Examiner argues that "Applicant, in Fig. 1, shows a 'delta' but does not define this delta in the specification. It appears that applicant used 'gamma' to define the trailing angle, however it is not clear whether this is supposed to be the same thing as the delta." *Office Action*, page 2. Per Applicant's conversation with the Examiner, Applicant has

amended the specification to refer to the trailing angle of Figure 1 using a gamma symbol “ δ ” rather than a delta symbol “ γ . ”

Claim Rejections - 35 USC § 112, second paragraph

Claims 47 and 51 are rejected under 35 U.S.C. § 112, second paragraph because they allegedly fail to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner argues that it is unclear as to what Applicant has defined as the trailing angle in Claim 47 and 51. Per Applicant’s discussion with the Examiner during the *Interview*, this rejection is rendered moot by Applicant’s amendment to the Specification, discussed above. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of Claim 47 under 35 U.S.C. § 112, second paragraph. Applicant has also canceled Claim 51, making this rejection moot as to that claim.

Claim Rejections - 35 USC § 101

Claim 15, 42, and 46 are rejected under 35 U.S.C. § 101 because they are allegedly drawn to non-statutory subject matter. Per the discussion during the *Interview* with the Examiner, Applicant has amended Claims 15, 42, and 46 in a fashion which renders those rejections moot. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of Claim 15, 42, and 46 under 35 U.S.C. § 101.

Claim Rejections - 35 USC § 102 and § 103

The Examiner rejected Claims 1-3, 5, 12, 14-16, 30, 32, 36, 38-41, 45-46, and 48 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,417,692 to *Goble* et al. (“*Goble*”). The Examiner under 35 U.S.C. § 103(a) also rejected: Claims 11, 31, and 37 over *Goble* in view of U.S. Publication No. 2004/0030237 to Lee et al. (“*Lee*”), Claim 4 over *Goble* in view of U.S. Patent No. 5,989,028 to Niznick (“*Niznick*”), Claims 6-9, 10 and 50-51 over *Goble* in view of the knowledge of one of ordinary skill in the art, and Claim 49 over *Goble* in view of U.S. Patent No. 5,209,659 to Friedman et al. (“*Friedman*”). Applicant respectfully traverses these rejections for the reasons set forth below.

As explained in the *Office Action*, none of the cited references disclose, teach, or suggest the combination of limitations recited in former dependent Claim 43. Per Applicant’s

agreement with the Examiner during the *Interview*, Applicant has amended Claims 12 and 15 to include the allowable subject matter of former Claim 43 to place those claims and their dependent claims (e.g., Claims 14, 16, and 44-46) in condition for allowance. For at least those reasons, Applicant respectfully contends that each and every pending claim is in condition for allowance.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests allowance of all pending claims.

Applicant hereby takes an extension of time to accompany this Response for one month from **July 20, 2009** to **August 20, 2009**.

The Commissioner is hereby authorized to charge the **\$130.00 Extension of Time** fee, and to the extent necessary, charge any additional required fees or credit any overpayments to **Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.**

If there are matters that can be discussed by telephone to further the prosecution of this application, Applicant respectfully requests that the Examiner call his attorney at the number listed below.

Respectfully submitted,

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